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September 3, 2010

VIA ECF

Magistrate Ramon E. Reyes, Jr.

United States Courthouse

225 Cadman Plaza East, Room 263

Brooklyn, New York 11201

Re: Civil Action No.: 07-2433

Anand Dasrath v. Ross University School of Medicine

Dear Judge Reyes:

This firm represents the defendant Ross University School of Medicine ("Ross University") in the above stated matter. We write this letter in response to Plaintiff's letter submitted today, September 3, 2010. First, we apologize for the needless letter writing, however, we felt it necessary to respond to Plaintiff's letter.

Contrary to Mr. Costello's letter I reached out to Mr. Costello this week regarding written discovery in this matter. I called Mr. Costello because Plaintiff failed to serve any discovery demands and I wanted to confirm that the only documents sought were the documents identified in Ross University's Initial Disclosures. Once Plaintiff confirmed on September 1, 2010 that he only wanted said documents I mailed him a set that same day. It is not surprising that Plaintiff had not received them as of yet.

Regardless, upon seeing Plaintiff's letter to the Court, I contacted Mr. Costello to discuss the issue and subsequently emailed the documents to him. Additionally, as to Mr. Costello's claim that he is unable to schedule depositions in this matter, during telephone calls today, Mr. Costello tentatively scheduled his client's deposition for September 23rd and stated that he would contact me to discuss deposition(s) of Ross University once he determined which individual(s) he wished to depose.

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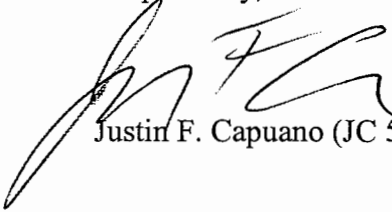
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Again, we would like to apologize for wasting the Court's time on an issue that could have more easily been resolved via a telephone call between the parties.

Respectfully,



Justin F. Capuano (JC 5853)

JFC: ms

cc: **Via ECF**
Joseph R. Costello
Costello & Costello, P.C.